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The COLUMBIAN AND Balance, REPOSITORY.

"HAIL SACRED POLITY, BY FREEDOM REAR'D!
"HAIL SACRED FREEDOM, WHEN BY LAW RESTRAIN'D!"

BEATTIE.

HUDSON, (New-York) TUESDAY, MARCH 3, 1806.

Original.

Hither the products of your closet-labors bring,
Enrich our columns, and instruct mankind.

FOR THE BALANCE.

PROPOSALS for printing by subscription, "A HISTORY of the war between the Mahteehmites and Nacilbuperites," &c.

(CONTINUATION.)

EXTRACTS.

"THE *men in the woods* were plain, honest, and hardy men, who seemed to have engaged in the contest from the most upright views. They took their name from certain expressions of Gen. Mahteeh who had ridiculed and abused them in a shameless manner. He, vainly imagining that all understanding and information were confined to cities, called them, in derision, "men in the woods;" they retained the name, and gloried in it. They were excellent marksmen. They would hit a target of two inches diameter, off-hand, at the distance of one hundred yards; and one of them killed a crow perched on the top of a tree, two hundred yards distant from him; and, what is a still greater proof of skill, another, at the distance of one hundred and fifty yards, pierced an apple which a man held on his nose, without the least injury; except razing the skin with the ball, which was imputed to the fault of the powder.

"These men were commanded by the intelligent and brave Col. *Saloh*, in whom the chiefs of the Nacilbuperites greatly and justly confided. His arrival in camp was considered as an important addition of strength; far superior to what the Mahteehmites could gain by the butchers, and even their fictitious corps of Yaugers and Indians. The *men in the woods* distinguished themselves in every action, and rendered essential services during the war. Col. Saloh was consulted as to every movement, and was equally useful in the cabinet, and in the field. His character may be drawn in short, that he was judicious, active, vigilant, always apprised of the designs of the enemy, and prepared to meet them.

"The scheme of Dr. Puff and his *sefton*, or poisonous *gas*, entirely failed in the execution; and it may be well doubted whether it was justifiable by the laws of war. After filling with great industry, a number of kegs, and their being carried near to the camp of the Nacilbuperites, the wind suddenly shifted and blew with great violence from an opposite quarter; insomuch that the Doctor requested that several cart loads of lime might be strewed in order to prevent any ill effects."

"CHAP. XVII. *Both armies take the field early in the spring, and prepare for a decisive action. Gen. Mahteeh makes his* LAST WILL. *Various matter.*

T. W.

(To be continued.)

Editorial.

WHO SHALL BE OUR NEXT GOVERNOR?

FROM present appearances, it seems probable, that the federalists are to have no voice in deciding this great and important question. Whether the spirit of federalism is broken down, by the violence and persecutions of the jacobin party—or whether the old and staunch supporters of the cause, have become so much disgusted with the democratic tricks of the two factions, as to quit the field of political contest in dismay—I know not. But certain it is, that federalists are content to remain inactive and unconcerned, while democrats, ever on the alert, ever busy, ever aspiring, are sacrificing our liberties, our independence, and our honor, to the paltry purpose of gratifying their ambition and avarice.

Our political opponents taking advantage of our apathy, are dragging some of the most obscure members of their party, into power and consequence—very wisely concluding that any person may get into office who, when a candidate, is not opposed.—Daniel D. Tompkins was first known to the political world, as the attorney of Col. Burr, in his suits against Cheetham. This was four years ago. Next he was appointed a judge of the supreme court, to fill the vacancy occasioned by the resignation of Mr. Lewis. Now he is offered to the people of this state, by the house of Clinton, as a candidate for their Governor!—He is said to have been much below the first rank as a lawyer—he is called but an indifferent judge; and what sort of a governor he will make *(if he ever gets elected)* nobody can tell. At any rate, the nomination is an insult to the people—a reflection on the state. We have older and wiser (not to say better) men; and they ought to be brought forward.

On the other hand, the present governor is proposed as a candidate. Against the administration of Mr. Lewis, we have little to say. He has, on the whole, conducted with a degree of prudence and independence, which, from his cast of character, was hardly to have been expected. Many of his acts have not only been tolerable, but praise-worthy; and we have been among the first to bestow applause where we thought it due. But all this does not entitle him to the support of federalism. He is opposed to us in political principle. He is (or pretends to be) ardently in love with the weak and miserable policy of the present general government. He can flatter the administration, whilst the metropolis of the state is left naked and defenceless, thro' their beggarly economy. Whilst every member of Congress from this state, is raising his voice to obtain something like an adequate appropriation, Mr. Lewis, from policy, or in sincerity, is singing praises to those who defeat every attempt of the kind.

Federalists! such are the candidates proposed by our political opponents for the

next Governor of this state. What say you? Can you, with a clear conscience, support the pretensions of either? What interest can you take in the contest? Of what consequence can it be to the old adherents of Washington and Jay, which obtains the victory?

Selected.

From the Weekly Inspector.

STATE POLITICS.

THE Assembly is composed of one hundred members. Of these, 34 are Lewisites, 19 Federalists, 47 Clintonians. The Lewisites carried their Speaker and Clerk by the aid of the Federalists. The consequence was, that the *Federal* Clerk of the Senate was deprived of his place. Then the governor made a speech, and such a speech!—but we forbear to comment on it. It is enough that it contained a most outrageous compliment to the President. The Senate, in their answer, fastidiously avoiding any expression approbating the conduct of his excellency, launched out into the most fulsome adulation of Mr. Jefferson. The Governor determined to be not a whit behind them, breaks out anew in praise of our gun-boat President, as if both his reputation and his re-election depended on the *quantum* of applause he could bestow on the miserable, pitiful administration of the general government. This reply to the Senate was made after the Federalists had not only made a Speaker and Clerk, but a Council of Appointment for the Governor's party.

One would have thought that the Governor, whether he was driving on the high road of popularity or obstinacy, would, *in mercy*, have stopped here—On the contrary, his reply to the answer of the Assembly, is, perhaps, the most abominable fulsome piece of adulation extant.

The Federalists seem to have thought that they had a right to something—accordingly they insisted on having Mr. Jay elected to the United States Senate. But his excellency's quids were off;—to be sure they had a right to be off. We had no claim upon them—for as to the vile story of a coalition between us and the quids, Thomas Farmar ought to have his ears cuffed for putting his name to it. A little sense of gratitude we think, ought to have been discovered. Be that as it may, however, we take it for granted, the Federalists have a right to be off too. We might indeed forgive the contempt which dictated the appointment of the new Mayor. If the quids had no man in the city fit for the station, it is their misfortune. There was no want of Federalists—if it had at all consisted with the liberal policy of the quid council, to appoint one of that *sect*. We might have forgiven this insult to our feelings, since a very worthy, upright man is appointed. But at the moment Mr. Jefferson's cobweb popularity is fallen to pieces of itself; at the moment when all good and intelligent men feel more than ever the necessity of putting an end to this weak and ruinous system of policy; at the moment when New-York is insulted with a 20,000 dollar appropriation for fortifying the city: his excellency ought not to have been so very selfish, so cruel to his country, if he supposed that it would injure his popularity, to use, in regard to the general government, the bold language of an indignant patriot, he might at least have been silent. If he had entertained any respect for the Federalists, without whose aid he cannot possibly be re-elected, he ought not to have twice and thrice wounded them in a part where they are the most sensitive. Despising both Mr. Jefferson and his administration; perceiving in his policy the destruction of the country; they can never cease to oppose them, till they cease to be patriots. The Governor then, who pants for their support, ought not to have considered them so mean, so abject, so devoted to *him* as that he could commit and repeat the deepest of all political transgressions with impunity. What difference is there between Mr. Jefferson's *Lewis*, and Mr. Jefferson's *Clinton?* We ask the question upon the supposition that the Governor was so weak as to have been sincere in his adulation. If he was not sincere—but this is so disgusting a view of the subject, we will not, we cannot dwell on it.

We hope and trust the Governor has found at Albany, no time-serving Federalists, whose servility has encouraged him to commit this outrage. We assure him he will be much deceived if he calculates to obtain the support of the Federalists of the city by indulging his *fancy* in the praises of Mr. Jefferson. The Federalists will act with integrity, and dignity, and patriotism. If Mr. Lewis would have assisted them to save the country at this tremendous crisis—but he has passed the Rubicon. The Federalists must save the country by their own energies, or every thing is lost. And we can save it if our strong men will make one great and mighty effort. If they yield themselves to despair, that vice of cowards, Federalism and Independence will soon find one common grave.

We wish the friends of Federalism throughout the state, to be assured, that we speak not our own sentiments only, but those of the most leading characters in the city.

Communication.

It is now become a question which candidate the meeting of republicans in the city of New-York, of which *Thomas Farmar* was chairman, and *Samuel Cowdry* was secretary, will vote for; whether for Mr. *Lewis* or for Mr. *Tompkins*. They have pledged themselves to "afford their firm and zealous support to such republican character as shall be nominated a candidate for the office of Governor, by a fair majority of the republican representation of this state, SEPARATELY FROM THE FEDERALISTS." Both candidates are republican, both proposed by the republican representation, the vile federalists being apart. It must depend on what may be thought a "*fair* majority."

Editor's Closet.

To Readers and Correspondents.

There are sentiments in the article copied from the *Weekly Inspector*, and in the first *extract from a letter*, in this paper, in which we do not fully coincide. We do not conceive that the federalists in the legislature, have thrown their weight into the scale with the Lewisites, merely for the purpose of putting federalists into office. The former council was violent and oppressive in its measures. The Lewisites professed to disapprove of such measures. The federalists had always condemned them. It was natural, therefore, for the two parties to unite in one common object.—This done, it only remained for the Lewisites to exercise the authority given them by the federalists with prudence and discretion. Federalists, on party principles, laid no particular claim to offices. They only wished that *the best men*, whether federalists or Lewisites, might be appointed. They did not indeed expect that a non-resident Lewisite would be appointed Mayor of New-York, in preference to a resident federalist. But enough of this.—Now let me assure the writer in the *Inspector*, and my own valued and respected correspondent, of my most cordial and hearty acquiescence in their strictures on the Governor's behavior towards the general government. If his excellency and his friends are determined, at all events, to eulogise and flatter Mr. Jefferson, the federalists cannot—they will not for a moment lend him their countenance and support. Mr. Jefferson's popularity and political fortune are embarked on board a gun-boat—they are at this instant sinking; and any cockboat that has the presumption to grapple, must sink with them:—And let them all go to—— the bottom together, I say.

It is a matter of doubt with some people, whether the democratic party opposed to Lewis, ought to be termed *Tompkintonians*, *Clintonians*, or *Burrites*.—It will be recollected that at the last election, when Burr run in opposition to Lewis, Tompkins was the friend of Burr, having been employed by him to carry on prosecutions against the Lewisite printer in New-York (Cheetham.) Burr failed; but his friends have since gained some strength, by joining Dewitt Clinton and a few others of Lewis's enemies in New-York. Burr himself is in other business; but his most prominent friend is set up for Governor, and all the *Dyde folks* seem resolved to support him—so that the contest, as before, is between Lewis and Burr.

It is hinted, that if Tompkins succeeds in the election, Burr will immediately return to New-York—take his trial for killing Hamilton; and, if condemned, run the risk of obtaining a pardon.

It is said that Mr. Jefferson will not consent to be a candidate at the next presidential election.—We advise the democrats of this state, then, to push Mr. Daniel D. Tompkins—Mr. Simon Snyder will do for vice president.

Correction.

We were mistaken in supposing that our corporation made a handsome *spec* out of the shaven bear, which was exhibited a few days since. After receiving half the avails of the cheat, and paying the stipulated wages to the man who was appointed to keep the door, the corporation actually fell in debt, *twenty five cents!*

Why do the democrats rejoice that a treaty has been concluded with Great-Britain? They formerly conducted differently. The time has been when they were opposed to having any good understanding with that nation.

What's the matter with Cheetham?—The following sentiment is copied from one of his late editorial articles:—

"May England live and be just, and may France follow her example."

Do our democrats really begin to shudder at the threatened downfall of Great-Britain?

In a late debate in the house of representatives of the United States, Mr. Smilie, of Penn. offered a most singular argument (not to use a more harsh term) against arming our frigates.

He said, that if our frigates were armed and at N. Y. and such a transaction should happen again as took place the last year [the murder of Pierce] there would certainly be war. If you had had a 44 gun ship at New-York the last spring (added Mr. S.) unless it had been commanded by a very prudent captain, it would have gone out and attacked the Cambrian. Yes, sir, it would have been done. Then we should have had a war at once. For this reason I am against the plan of arming our fleet and posting it at New-York.

If such sentiments are to be uttered on the floor of Congress, it would be well, if the doors were to be forever closed. We must not protect the *lives* of our citizens, least we fall into war!

The president has furnished Congress with an estimate of the number of gun-boats required for the *complete defence of the United States!*....viz....for the Mississippi, &c. 40....Savannah, Charleston, &c. 25....for the Chesapeake, 20....Delaware Bay, 15....New-York, 50....Boston, 50....Total 200.——73 are built, and he thinks the remainder may be built in two years.—Have courage (and patience, too) good people of New-York. With your share of the 20,000 dollar appropriation, and 50 gun-boats, the devil's in't if you a'n't protected.

Extract from a Letter.

"Since I wrote you last, Judge *Thompson* has absolutely declined an acceptance of the Mayoralty of New-York. In this he has acted wisely; and it was thought strange by all, that he ever consented to let his name be mentioned. Who is to be his successor I have not yet heard.

"The Cheethamites have at a public meeting, nominated Judge *Tompkins* as their candidate for the office of Governor. The opinion is, that he must have consented to this; but his wisdom, considering the honorable and stable place which he must resign in case of success, the difficulties he will be called to encounter, and the risk, not to say certainty of disappointment, will be generally doubted. Probably, they could find no other who would submit to the mortification which threatens, and who, in case of failure, would suffer loss. If he be not Governor, he still remains Judge; and the latter would be to him the most fortunate event. This I suspect is the calculation. A candidate must be held up, and one is chosen who can lose nothing, and submits only to the disgrace of being beat, which affects none but great and generous minds.

"The present Lieutenant Governor is retained to take the young man in *tow*. I have not heard that Mr. *Broom* grumbles, or objects, in any respect, against his destiny. Many are qualified to act only a subordinate part, and it is happy when they know and are reconciled to this. The common error is in aspiring to matters too high for them.

"The Lewisites have nominated *Thomas Storm* of the city of New-York for Lieutenant-Governor. Were one inclined to pun, it might be said, that the Cheethamites meant to *sweep* all before them, and the Lewisites to *blow down* every thing.

"The Council proceed very slowly, I wish it may be surely. There is a CRISIS just at hand. Much will depend on the appointments of a Judge and a Mayor of the city of New-York. The federalists begin to express their dissatisfaction; and a little more will drive them into absolute disgust and resentment. I shall not close this until I can give you further and authentic information.

"I expected before this time to have informed you who was appointed Mayor of New-York, and who Judge of the supreme court. Probably, these appointments will be made before this can reach you, but I shall now close it. I know not whether the Council are aware of their danger, or whether they think there is any to fear. Their tardiness works, at this moment, to their disadvantage; and should certain appointments not be made satisfactory, their triumph will be short. Whispers are abroad of their despising the federalists, which excite indignation among that respectable and powerful body. The *Tompkintonians* and *Broomites* are in high spirits. If the federalists remain neuter, or are provoked to set up candidates of their own (which should not be thought surprising) the *Lewisites*, muster what *Stormites* they will, are inevitably and irrecoverably gone."

Extract from another Letter.

"Among those who expected to be candidates at the next election, the present Lieutenant-Governor, has, perhaps, the most reason to complain. It was natural for him to think, that the party who had made him subservient to their views, would reward by advancing him; that they would fill his place with *Comstock*, or *Peck*, or some other of equal republican talents, virtues and services. He manifests, however, no outward chagrin; and I am of opinion, that all who have been disappointed will, as one way to conceal their mortification, vote for the candidates of the Cheethamites, and affect, at least, to be hearty in the cause.

The cold manner in which the recommendation of Mr. *Broome* is introduced, and the niggardliness of it, will not escape your notice. "We have thought it our duty," say the addressers, "to support" him—He is "an honest and an upright man." Had they spoken out, instead of *duty*, they would have said *policy*. Or they may mean, that he is an honest and well meaning creature, and it would be a pity to cast him off altogether. I have never heard any objection against his uprightness, except his connexion with the Cheethamites.

"A bill has passed in Committee of the whole house of the Assembly, for the establishment of a bank at Schenectady. The division, I think was 60 and 34. What will be the fate of the bill at last is uncertain. Though I am opposed to the multiplication of banks, yet there are powerful reasons in favor of this one. Perhaps the rage for banks is an evil which will, in due time, cure itself.

"Arnold has been respited until the fourth Tuesday of next March; and a member (I suspect him to be a Cheethamite) has given notice that he will bring forward a bill for his execution. This is a hard case, and I lean to the side of mercy.

"The address to the *Illustrious* Thomas Jefferson has not yet been presented by the joint committee. The penman is, no doubt, taking time to give it the highest polish. The mistake which was made about an "atrocious conspiracy" being "crushed," will lead to caution in the assertion of facts. No man wishes to be laughed at a second time.

"*Lawrence Gross* does justice to his constituents by being daily and timely in his seat. The letter which he received and published has had a good effect upon him. He seems wiser than some of his fellows; for while they are babbling, he is thinking; and when the question is taken, he understands to a hair, on which side to vote."

Extract from a letter, received by the last mail, from a friend at Washington, under date of February 21.

"On the subject of the western conspirators, I will add, that Gen. Adair and Peter V. Ogden, who were arrested and shipped off by Gen. Wilkinson from New-Orleans, arrived at Baltimore a few days ago, and were discharged by judge Nicholson on a Habeas Corpus, for want of any testimony against them. Letters from Orleans, I understand, state that other military arrests are expected to take place; that all business is suspended there; and few persons appear much abroad, except military and naval men. These unconstitutional and alarming proceedings of Gen. Wilkinson gave rise to a resolution, which was laid upon the table in the H. of R. a few days ago, for the appointment of a committee to enquire into the expediency of making further provision by law to secure the privilege of Habeas Corpus to persons arrested by colour of authority from the government of the U. S. This measure, however, important as it evidently is in its own nature, was lost the day before yesterday by being postponed indefinitely, 60 ayes, 58 noes—so friendly are the exclusive patriots of the present day to the complete and effectual protection of the liberties of the citizen, while the powers of government are in their own hands.

"The supreme court of the United States have this morning come to a final decision in the cases of the Habeas Corpus issued some days ago on the application of Bollman and Swartwout, and have discharged the prisoners without bail."

Miscellany.

From the Federal Gazette.

It is with a regret which I am unable to express, that I find myself constrained to meet the public eye, in the following narrative, which I submit to the serious attention of the reader; and reluctantly acknowledge the superior advantages which my accuser derives from rank and patronage, whilst I have nothing but truth and honor to support me.

Some few days after general Wilkinson had denounced Aaron Burr as a traitor, at the government-house in New-Orleans, and when he himself had become an object of ridicule and distrust, I was informed that Dr. Bollman was then under arrest at the instance of the general, and without any other than his own arbitrary authority—not being sufficiently intimate with the Doctor to feel any thing like friendship for him, I yet felt that as a man, and particularly as a stranger in the country, he had claims upon my professional exertions to arrest, if I could, the strong arm of military power which had been raised apparently to crush him, and being at the same time particularly requested by the lady with whom he lived to do what I could in his behalf, I immediately presented an affidavit of the fact to the senior judge of the superior court, and requested him to allow a writ of habeas corpus; this, from a fear of disobliging so great a man as the general, or being actuated by some other prudential motive, judge Sprigg refused to do, unless he had the approbation of his brother judge, and expressed a wish that I would defer it until the next day, when the court would be in session—I told him that something ought to be done immediately; that in the morning it might possibly be too late; and at last prevailed upon him to accompany me to the lodgings of Judge Matthews. Matthews was not within—I waited for him a considerable time, whilst his learned brother of the court was ineffectually exploring Bacon's Abridgement, in order to comprehend the mysterious nature of a writ of habeas corpus; and at the same time making shrewd remarks upon the inapplicability of British statutes and English doctrines to the writ (which as he wisely observed, was not the statute) of habeas corpus in the United States, or their dependencies. I was confounded—indignation mingled with contempt and astonishment, possessed me entirely—I went home and delayed the matter until the next morning.

The next day, when the judges had resumed the hearing of an old cause, I entered the court room, and taking advantage of a short interval of suspense, rose and told the judges "That I must beg leave to interrupt the present business, as I had a motion of great urgency to make—one of more moment than had ever been presented to their consideration before: that it was no less than to assert the sacred right of the subject to the writ of habeas corpus; and that it was grounded upon the affidavits, which I read to them—also quoted the general doctrine from Blackstone, shewing that the common law writ, is entitled to all the advantages of the provisions of the several statutes; and after hinting at the probable consequences of such an outrage in a territory but newly acquired by the United States, and just emerging from a system of tyranny, I finally expressed a strong hope that the court possessed sufficient firmness to grant my motion."

Mr. Livingston, at my request, seconded me, and as it were, prophetically observed, "That he well knew the miserable attempt which would be made to implicate himself and me in some base suspicion, for what we had done that day, but he thanked God! that he had a heart and a mind to despise it."

Another affidavit was then added by way of supplement, and even then, will it be credited?—the court applied to Mr. James Brown, United States' attorney for the Orleans district, for his opinion; and hearing from him that the law was too clear to admit of a doubt, they at last ventured to allow the writ, altering the time of the return from instanter to eleven o'clock the next day. It was then delivered to the sheriff who was directed to serve it.

Eleven, twelve and one o'clock elapsed the next day and no return was made to the writ. I then addressed the following letter to the general:

Sir,

I take the liberty of informing you, that unless a return to the writ of habeas corpus allowed by the court, and directed to you, be made within a reasonable time after the receipt of this letter, I shall consider it as my indispensible duty to move the court whilst in session, for a writ of attachment against you. I give myself this trouble, to the end that you may be perfectly apprized of the measure, and am, sir,

Your obedient servant,
JAMES ALEXANDER.

To gen. James Wilkinson.

After dinner I returned to court, and Mr. Livingston handed me a letter addressed by the general to the judges. It stated in substance, that he had no intention of resisting the civil authority, but that business of the highest consequence to their "common country" would prevent him from making any return to the writ before the next morning.

Mr. Lewis Kerr having obtained a writ of habeas corpus from Judge Workman, in behalf of Peter V. Ogden, who had also been put under arrest, by a similar illegal order of the general, and who was detained on board the bomb ketch Etna, and being himself indisposed, requested me by note to attend to that business for him. I did so accordingly; and lieutenant Jones, who commanded on board the Etna, and commodore Shaw, both appearing in obedience to the writ, and having declared that they had no charges to exhibit, the judge ordered Mr. Ogden to be set at large. This gentleman accompanied me home, and spent the night with his friend Mr. Williamson. Upon leaving my house I gave him a brace of pistols, and told him that if an attempt should be made to arrest him a second time, without the sanction of any civil authority, and the force should be such as he could resist without shedding blood unnecessarily, he ought to defend himself.

From Mr. Ogden I learnt that Mr. Swarwout was also a prisoner on board the ketch. I took his affidavit to that effect, and applying to judge Workman, obtained his allowance to the other writ of habeas corpus. This I served myself upon Mr. Shaw, and waited at the judge's for the return. About ten o'clock at night lieutenant Jones came to the judge's, and informed me, that during his absence on shore, Mr. Swartwout had that very evening been removed from the Etna, in consequence of an order from general Wilkinson to that effect, countersigned by commodore Shaw.

The next morning I went on board the ketch, where I obtained an affidavit of the fact from the officer who had delivered Mr. Swartwout up, and ascertained that he had been conveyed across the river. I immediately obtained writs of habeas corpus, and delivering one of them to the sheriff to serve upon the general, I went across the river and found Mr. Swartwout at the magazine, in the custody of an officer to whom I delivered one of them, and required his obedience to it.—He said that having positive orders from the general, he could not act but under his direction, and then sent off a boat in order to inform the general of what had taken place and to know his pleasure. I waited there until this officer was relieved; and the one who succeeded having no instruction with regard to the writ of habeas corpus, I served another upon him: he told me that he could not receive it; upon which I informed him of its nature and left it in the guard room.

When I returned to town, I was informed of the general's oratorical and patriotic flourish to the return made of a writ of habeas corpus, as stated by Mr. Livingston in his address to the public; and now that I notice that address, I beg leave to express my entire conviction of the innocence of that gentleman. I most sincerely lament that his generous efforts in my favor should have again disturbed the subsiding malice of the general; and I blush for human nature itself when I see the guilty hand present the poisioned chalice to the unoffending lips of innocence.

The next morning, steady to my duty, and not in the least discomposed by the general's denunciation, finding that no return had been made to the habeas corpus in the case of Mr. Swartwout, and the sheriff having informed me that he had twice called at the general's for the purpose of serving it, but had been refused admittance, I applied to judge Workman for an attachment. He directed the sheriff to go once more to the general and inform him of the nature of his business.

On the same day, after dinner, as if it were the necessary consequence of performing my duty, captain Bradish, with a troop of horse, arrested me by virtue of an order from general Wilkinson, unsanctioned by any civil authority. After drinking a glass of wine with me, he asked me whether I would consider myself as under arrest, and was about to dismiss his troop; I requested him to shew me his orders, and having perused them, told him that an illegal order was no order, & that I could not

consider myself as under an arrest.—I also expressed a wish that he would retain his troop, observing that I should be unwilling to shed his blood, but that I was prepared. —I then remarked to the troop that I was unable to resist them, and after a few minutes I was conducted to the general's quarters, where I found Mr. Ogden who had been sent there a short time before. The general never condescended to visit us, but as he passed by averted his head, as if afraid to meet the looks of those whom he had injured ;—here upon the ground floor, in a place infested by rats, we passed the night together ;—and the next morning before sun-rise, in order to prevent any generous effort from being made for our rescue, we were hurried across the river, to the miserable shed, which had just before been occupied by Mr. Swartwout.

Upon my arrival there, I wrote two notes, one addressed to Mr. Philip Jones, and the other to the collector of New-Orleans ; the former contained this unpardonable sentence, "as it regards myself, internally all is well, and I enjoy a tranquility of soul which is truly enviable ;"—and the other concluded with the following words,"if you have ever entertained a favorable opinion of me I request that you will retainit,for I pledge myself to come out in the sun-shine of integrity."—These letters, I am convinced, were never delivered, and let me add, that I never received Mr. Livingston's note or the supplies which he was so good as to put up for me.

Hear we learnt that Mr. Swartwout had been removed down the river to fort St. Philip, the preceding night. No person was permitted to visit us, and even the common offices of nature could not be performed without the superintendance of a corporal and a file of men. We continued there about a week, when we also were sent down to fort St. Philip—thence I was transported to this city, without money, in a vessel badly found as it regards sails and rigging, exposed to the danger of a winter voyage and the inclemency of the season, described to be a 'man of great art and address and of daring courage,' prohibited the use of pen and ink, and forbid to speak to any one but a commissioned officer.

And yet all this has happened, not in the heart of a despotic empire, not at a period of foreign war, or intestine trouble, but at a moment of profound peace and domestic tranquility : in a country where the constitution of the United States is the primary and transcendent law, where the writ of habeas corpus has been given to the subject, as a boon of inestimable value ; in a land said to be reclaimed from servitude, where the civil power of the magistrate alone is felt, and military force is a stranger—and it has happened too, under the eye of an American governor appointed to his magistracy by the president of the United States, and one of the objects of this unheardof outrage, is a young member of the bar, acquainted with very few of the inhabitants of N. Orleans, a stranger to their language, without influence or authority of any kind, either to excite or aid an insurrection, and well known, so far as any knowledge of him extends, to be from principle attached to a firm and energetic government and utterly to detest all the despicable arts by which grovelling ambition would ascend to power.

....." *Can such things be,*
And overcome us, like a summer cloud,
Without our special wonder ?"

JAMES ALEXANDER.

Baltimore, Feb. 13, 1807.

From the National Intelligencer.

General Eaton, on appearing before the Committee of Claims, on the 11th inst. thus addreſſed the chair.

SIR,

On a review of the ſtatement, accompanying my petition of 20 h Feb. 1804, now before this honorable committee, I cannot find a paragraph which needs correction, or modification. That ſtatement ſurveys the chief ground and origin of my claims. Have the goodneſs, ſir, to paſs attentively over it, and to carry forward, in the examination, a view of the events which have ſince occurred to eſtabliſh the correctneſs of the meaſures there adverted to. It will ſatisfy you that a perſeverance in thoſe meaſures has given *peace* to this country, and *emancipation* to three hundred of our fellow-citizens ; and that, while it has done ſomething to ſtamp a good impreſſion upon the pirates of Barbary, it has ſaved your treaſury more than a million of dollars. My reward, hitherto, is penury and wounds. I ought not, perhaps, to ſay this ; it carries ſomething which ſavors of reproach : this I do not mean. I have no where been *refuſed* indemnity. On the contrary, three years ago, when as yet the effects of my arrangements had not been realized, your committee expreſſed an opinion that I *had a well founded claim upon the government.* But the delay, in the deciſion neceſſary to a reimburſement of my expenditures, has greatly diſtreſſed me in my individual concerns—Expenditures of which my country now reaps the benefit, and of which a vaſt majority of my countrymen appear to be very ſenſible.

I do not preſent myſelf here to aſk alms, nor to expect gratuities—nor yet to draw on your ſenſibility to awaken a conſideration for all the ſacrifices to which I yielded in ſtanding to the duties of my ſtation at the court of a piratical deſpot, and on the coaſt of a ſavage enemy. You cannot make me ſuch indemnity. You cannot, ſir, under any ſhape I can preſent the claim, award me a remuneration for the ſacrifices of property incident to the vexatious impoſitions and proſcriptions which the Bey of Tunis practiſed on me in conſequence of my reſiſtance to his unwarrantable exactions againſt the United States. You cannot bring back to me nine years of active life—You cannot reſtore to me the ſtrength of an arm. But for actual diſburſements for the benefit of our common country, whether voluntary or extorted, I have a right again to reſort to your juſtice, and to believe that this juſtice will be no longer delayed.

It is only fit here, therefore, that I avow the perfect confidence I feel, ſir, in the diſpoſition and in the righteouſneſs of this committee to give my claims a deliberate and ſeaſonable review and an equitable reward.

With regard, however, to the laſt item of my charge, it ſhould be remarked—*this was not originally intended to be brought againſt the United States.* I had faith that the honor of the court of Sardinia would redeem the paper of a nobleman charged with the high truſt of a national negociator ; and, in caſe of failure here, had confidence in the exertions of the ſon of that nobleman to reimburſe me the caſh I was compelled to pay, as his ſurety, for the redemption of the child of his affection and for the honor of his family. I ſhould, undoubtedly, have realized theſe confidences, had not a diſpenſation of the government of the United States,(unacquainted with the uſages of that country) releaſed the ſurety held at Tunis for the debt, and been conſtrued by the Chevalier Porcille as a generous acquittal of the debtor. A reimburſement ought to come from the court of Sardinia to our government.

Papers touching this tranſaction are ſubmitted with my other documents.

The heavy expenſes incident to an appeal to this chancery for ſuch a length of time as I have been before you, and at ſo great a diſtance from my home ; together with the circumſtance of theſe private funds lying ſo long uſeleſs to me, have neceſſarily laid me under pecuniary reſponſibility to my friends. The ſuſpenſe of another year muſt lodge me in a *priſon!*

If you find, ſir, that I have been upright to my country—let my country, by a reciprocity, now enable me to ranſom myſelf.

From the People's Friend.

MR. EDITOR,

BY accounts from Washington, the public are poſſeſſed of the proceedings in the caſe of Meſſrs. Bollman and Swartwout, but they may not be equally well informed of the circumſtances of their confinement. By letters from Waſhington I am informed, that after a lonesome and dreary impriſonment of nearly two months, unalleviated by the ſociety or converſe of a ſingle friend, curtailed of the uſe of pen, ink, paper, and the other articles that render ſolitude leſs irkſome, Mr. Swartwout has at length been conſigned to the glooms of a dungeon *eight feet ſquare*, and totally deprived of the benefits of air and exercise. Did I not receive this information from an unqueſtionable ſource, I ſhould ſpurn at the idea, that a meaſure ſo intolerant and unjuſt could be enforced in our country, under an adminiſtration ſo *liberal*, ſo *enlightened*, ſo *humane*. Are then the long eſtabliſhed maxims of juſtice and mercy to be abrogated? Is a priſoner no longer to be conſidered innocent until guilt is proved? Is an inquiſi-

torial policy to be adopted and the accused to suffer punishment, before convicted of crime?

I do not pretend, sir, to decide on the innocence of either Dr. Bollman or Mr. Swartwout—with the former I am totally unacquainted, but the latter I well know. I know him to be "open and generous, and bountiful, and brave"—honorable in his disposition, manly in his deportment, inviolate in his probity. All who behold him must read it in his countenance, must view it exemplified in his manners—all who are acquainted with him will require no proof of what I assert. Is such a man to be treated like the veriest felon and vagrant in the land?—are chains and dungeons necessary to hold his person in security? surely did the presumption of his guilt rest on proof tenfold stronger, than the *affidavit of General Wilkinson*, his extreme youth, his frank and guileless deportment, the noble spirit that beams forth in his looks, might plead for some indulgence and mitigation of legal rigour.

I would not wish to implicate by these observations, the behaviour of the officers who have the charge of his person; for I understand he is treated by them with kindness and attention: the cold blood that directs his persecution, flows in other veins than theirs.

Mr. Editor—as a gentleman and friend of justice, I entreat you to give publicity to this communication. I declare to you that I have no interest in Mr. Swartwout's fate, either as a relation or a partizan. I speak from motives of private friendship and public humanity, and I pledge the honor of a gentleman, that I speak nothing but what I believe to be the truth.

With respect your's

A CITIZEN.

From the People's Friend.

From our Correspondent at Washington.

Washington, 5th February.

Yesterday was a great day in the representatives' chamber—all was bustle, noise, and "confusion worse confounded." Such a scene has rarely been witnessed. Every man determined to *seem* wise, but few could accompilsh even so much. The fact is, that Babel of old could hardly surpass it for unintelligible noise and nonsense. It seemed as if the contents of Noah's Ark had been emptied on the floor, such roaring, squeaking, squeeling, and growling—chattering and mowing; much braying and loud—some grunting, but the hiss was the prevalent sound. It reminded me of an expression of Thomson, when speaking of the flocks and herds—"rural confusion!" The groupe was curious—but more fit for the pen of a Swift or a Butler, than a Theocrites or a Gesner—for the hard brush of a Hogarth or a Teniers, than for the pencil of a Salvator Rosa. Morland if alive would have found an inexhaustible repertory for his farm-yard pencil. It was a very Fair. But what mortified me was to find that our Philadelphian Legendre was absent. Perhaps this may have been the reason that there was so much noise—when the cat's away the mice may play, and as the poet says,

"E'en Calves by instinct fly the Butcher."

Legendre was engaged at home, salting up beef for captain Ralpho of the ship Nelson.

But to return—The business was the old affair of fortifications. The alternative on a former day proposed, of running away instead of fortifying, was again started, but it gave offence to the friends of the proposer, (now absent) who endeavored to explain away the words *running away*. "They were mistaken in my colleague's sentiments (said Mr. Lloyd)—He only meant, that rather than be at the expence of fortifying, they should retire. Run away, indeed, oh fie, (said Mr. L.)—No—*Not run away*, but *retire*."

They now observed, that Mr. N— the proposer of *retiring* was absent, and then they bethought them that he was chairman of the committee of the very report upon which they were debating. Thus he was lost to their recollection as chairman but found as RETIRER—The novelty of the thing made the difference. America had had thousands of chairmen—but with one conspicuous exception—not a retirer before. It was therefore moved, that the whole business of the fortifications, should be postponed for a fortnight, till *the* chairman should be present. This by way of tribute—to *decorum*.

A member now rose, and gravely said, that there was no occasion for haste. There was no fear of war, for he had not the smallest doubt that the executive would accommodate any difference with any nation, be it what it might,

The point of *decorum* now became the subject of discussion. And the question was, whether the defence of the nation should RETIRE, till it suited the chairman to leave his private concerns and attend.

Here, Messrs. Editors, it occurred to me, and had I been a member, I should have rose and stated it to the House, that the Chair might be considered as in authority, it ought always to be, and as in truth it often is in all respects a valid and sufficient locum tenens for its occasional occupant; as was once keenly hinted by a sharp old Irish Barrister to a rude Judge who scrubbed him, "My Lord I respect the bench you sit upon."

A member, Mr. Lyon, (perhaps it was because he thought as I did) said he disliked leaving the business of the nation in a loose way, on the decorous doctrine just advanced. A chairman of a committee says he, goes home to attend his private business, and the defence of the nation is not to be spoken of in his absence—He then spoke to the purpose.

"What influences my vote is, I really believe there is danger of war to be commenced by the petulence and aggresions of the Spanish officers on our south western frontier. My belief is founded on the official information which is before this house. That information tells us that the Spanish troops withdrew until they received news from the negociations on foot. I ask if any favorable news has arrived? Is there any like to arrive? I fear not. I think we must have a treaty or a war with Spain. The documents tell you so, and I believe the Spaniards are preparing for it, while we are folding our hands and saying all is peace, peace.—I shall vote to postpone the question, in hopes that the existing danger will be more apparent to gentlemen of this house than it is at present."

Mr. Smilie could not conceive, of what use fortifying the east could be if Spain were at war with us in the west. It reminded me of Richard, "What do they do in the north, when they should be serving their sovereign in the west."—But notwithstanding the authority of Shakespeare, & the still higher authority of Mr. Smilie, it occured to me, that as Spain might attack us in the east as well as in the west, this observation of his carried with it somewhat of an air, a smack as it were of a blunder. If however, he slipped on that ground, he recovers himself on another. "I cannot stretch my credulity so far, (said he) as to think there is any danger of war." This Messrs. Editors, must be of great comfort to the people of America, the wiser part of whom, have for some time thought war unavoidable—and to the President, who goes so far as to subscribe to *a speck of* war—because Mr. Smilie, having when he pleases a most conveniently capacious credulity, if he cannot stretch it to war—of course war cannot be. But time will tell—as that inimitable sage and scholar *Patridge* says very wisely, "*tempus edax rerum*."—To ease the scruples of the House, preserve the decorum due to the absent chairman, and secure to the debate the help of that gentleman's wisdom and eloquence, Mr. S—— took a mid-way course. "*In medio tutissimus ibis*," or in other words, "split the difference" thought he, is good Latin; so he moved that the business should be postponed for half the time originally moved—for a week.

I am suddenly called off to attend at a caucus, in which an address is to be moved thanking the president for the vigour of his conduct, and the energy with which he enforces the laws, and the severities prescribed in all such cases by the constitution, against Messrs. Bollman and Swartwout. You shall have a line upon it.

HECTOR HUFF.

Hudson, *March 3.*

Be it our weekly task,
To note the passing tidings of the times.

In the afternoon of Wednesday last, a transient man, decently dressed, and apparently about 30 years of age, was found in the burying-yard of this city, stupid, and to all appearance nearly lifeless. He was taken up, and carried to a neighbouring house, where medical aid was called, and he was in a considerable degree relieved. It was found, however, that he was deranged, and had but partial moments of reason. He called his name Henry Slosson, and mentioned the names of several persons who live in Kent, (Conn.) About 9 o'clock in the evening he abruptly left the house, without his hat or mittens, and although diligent search has been made, has not since been heard of.

Law Decision.

The supreme court of the United States have settled the point, "that the insured has a right to abandon when he receives information that the property insured has been captured and libelled, and may recover for a total loss."

The legislature of Maryland, at its last session, passed a law against the emigration of free negroes or mulattoes to that state, on penalty of fine, imprisonment and slavery.

A day is fixed for the trial of Capt. Whitby, for the killing of Pierce, and our government has been informed of it. In consequence of this, it is said, several witnesses are about proceeding immediately for England.

It is reported that the Dey of Algiers has declared war against France.

LAST MAIL.

(OFFICIAL.)

To the Senate and House of Representatives of the United States.

I transmit to Congress a letter from our ministers plenipotentiary at London, informing us that they have agreed with the British commissioners to conclude a treaty on all the points which had formed the object of their negociation, and on terms which they trusted we would approve.

Also, a letter from our minister plenipotentiary at Paris, covering one to him from the minister of marine of that government, assuring him that the imperial decree lately passed was not to affect our commerce, which would still be governed by the rules of the treaty established between the two countries.

Also, a letter from Cowles Mead, secretary of the Mississippi territory, acting as governor informing us that Aaron Burr had surrendered himself to the civil authority of that territory.

TH: JEFFERSON.

February 19, 1807.

(COPY.)

LONDON, December 27, 1806.

SIR,

We have the pleasure to acquaint you that we have this day agreed with the British commissioners to conclude a treaty on all the points which have formed the object of our negociation, and on terms which we trust our government will approve. It will require only a few days to reduce it to form. When that is done, we shall transmit it to you by a special messenger. We hasten to communicate to you this interesting intelligence for the information and guidance of our government in such measures as may have reference to the subject. We have the honor to be with great consideration and esteem, sir,

Your most obedient servants,

JAMES MONROE,
WM PINCKNEY.

James Madison, Secretary of State, Washington.

PARIS, 24th Dec 1806.

SIR,

I have the honor of transmitting the copy inclosed of a letter from his majesty's minister of marine and colonies, in answer to mine of the 10th instant, on the subject of the imperial arrete of the 21st of November, 1806.

An additional explanation, which it may be well to communicate, is, that neutral vessels coming from England or her colonies into the ports of France, &c. since the date of the aforesaid arrete, will not be received, and that if any person or persons, charged with the ship or other vessel and cargo, shall be detected in evading this regulation by means of *false declarations*, they shall forfeit the said ship or other vessel and cargo.

I am, sir, with the highest respect,
Your most obedient, and
Very humble servant,

(Signed) JOHN ARMSTRONG.

Mr. Madison, Washington.

[Here follows the Imperial Decree of the 21st Nov. which was published in the Balance, Feb. 17.]

General Armstrong to the minister of marine and colonies.

The undersigned minister plenipotentiary of the United States of America has the honor of demanding from his excellency, the minister of marine and colonies, the official explanation which may have been given to the imperial decree of the 21st of November, 1806, so far as that decree involves the rights of neutral nations.

The undersigned would more particularly wish to be informed whether by "British Islands" mentioned in article 1, are to be understood *all islands* in the possession of his Britannic majesty, and *islands merely*, or whether the rule will be so construed, as to extend the blockade to the continental possession also, of his said majesty?

Whether it be meant that the arrete shall operate from its date, and that seizures made under it before notice shall have been given, shall be considered legal?

Whether American vessels, navigating the high or narrow seas, shall be liable to seizure, on evidence only, that they are going to, or returning from a port or ports of his Britannic majesty?

And whether articles 2 and 5, shall operate only as domestic regulations, or whether their injunctions shall extend to citizens of foreign and independent nations?

His excellency the minister of marine is sufficiently aware of the interest of the United States in the interpretation which shall be given to these articles, and will readily and justly appreciate the motives of the undersigned in requesting that his excellency's answer may be given as promptly as possible.

The undersigned has the honor of renewing, &c.

(Signed) JOHN ARMSTRONG.

Paris, Dec. 10, 1806.

[TRANSLATION.]

PARIS, 24*th December*, 1806.

Mr. Minister Plenipotentiary,

I hasten to answer the note you did me the honor to address to me on the 20th of this month.

I consider the imperial decree of the 21st of November last, as, thus far, conveying no modification of the regulations at present observed in France with regard to neutral navigators, nor consequently of the convention of the 30th of September, 1800, (8th Vendemiare, 9th year) with the United States of America.

But altho', by this answer, the four questions upon which your excellency has desired to know my opinion, have been implicitly resolved, I think I can add, 1st, That the declaration expressed by the 1st article of the decree of the 21st November, not at all changing the present French laws concerning maritime captures, there is no reason for enquiring what interpreration, or restriction or extention may be given to this article.

2. That seizures, contrary to the present regulations concerning cruizing, shall not be allowed to the captors.

3d, That an American vessel cannot be taken at sea for the mere reason that she is going to a port of England, or is returning from one, because conformably with the 7th article of the said decree, we are limited in France not to admit vessels coming from England or the English colonies.

4th, That the provisions of articles 2d and 5th of the said decree, naturally apply to foreign citizens domiciliated in France or in the countries occupied by the troops of his majesty the emperor and king, inasmuch as they have the character of a general law; but that it will be proper that your excellency should communicate with the minister of exterior relations as to what concerns the correspondence of the citizens of the United States of America with England.

I pray your excellency, Mr. Minister Plenipotentiary, to receive the assurance of my high consideration. The minister of marine and of the colonies,

(Signed) DECRES.

It will not escape gen. Armstrong that my answers cannot have the developement which they would receive from the minister of exterior relations, and that it is naturally to him that he ought to address himself for these explanations, which I am very happy to give him, because he wishes them, but upon which I have much less positive information than the prince of Beneventum.

(*Signed*) DECRES.

Faithfully translated.

J. WAGNER, Chief Clk. dep. State.

Extract of a letter from Cowles Mead, secretary and acting governor of the Mississippi territory, to the department of war, dated, "Washington, M. T. January 16, 1807."

SIR,

"IN obedience to your instructions by express of 20th of December last, I immediately, after proroguing the legislature, proceeded to put the territory in a state of preparation for the arrestation of the suspicious persons and boats, which were contemplated therein; my militia were collecting at particular points on the river, when I received a letter from col Burr, who had landed at Bayou Pierre, with nine boats and about 100 men. This letter went to an avowal of his innocence of the charges, which rumour and public apprehension had announced against him, and solicited me to appease the fears which his approach had begotten; at the same time he guarded me against the horrors of civil war, and the evils resulting from such a state of things; this seeming threat induced me to adopt a different mode of conduct, from what the col. might have expected; and instead of adopting his pacific admonition, ordered a very large portion of the militia of the territory to rendezvous at certain points, and wait further orders. With the promptitude of Spartans, our fellow citizens shouldered their fire-locks, and in twenty four hours, I had the honor to review 375 men at Natchez, prepared to defend their country. They were ordered under the command of col. Claiborne, to a point on the river about 21 miles above the city, there to remain to guard the river, and intercept, for inspection, all boats that might descend the river. On the 16th, I dispatched two of my aids to col Burr, who had tendered his respect to the civil authority; these gentlemen engaged on my part to give the colonel an interview in the neighborhood of the detachment stationed at the mouth of Cole's creek. Conformably thereto I met the colonel on the 17th, and after a lengthy interview, he offered to surrender himself to the civil authority of the territory, and to suffer his boats to be searched. On the 18th, col Burr, accompanied by my aids, majors Shields and Poindexter, rode down to the place, and was committed to the highest tribunal of the civil authority, where he now remains for trial."

"Four gentlemen of unquestionable respectability with a detachment of 30 men, are now in the act of making the search of the boats, and to-morrow I expect their report."

"Thus sir, this mighty alarm, with all its exaggerations, has eventuated in nine boats and one hundred men, and the major part of these are boys, or young men just from school. Many of their depositions have been taken before judge Rodney, but they bespeak ignorance of the views or designs of the colonel. I believe them really ignorant and deluded. I believe that they are the dupes of stratagem, if the asseverations of generals Eaton and Wilkinson, are to be accredited."

The Knell.

DIED,

At Schoharie, on the 5th ult. JONATHAN DANFORTH, Esq. one of the judges of the court of common pleas, aged 54.

In this city, the 2d ult. Mrs. DEBORAH BROWN, wife of the late Mr. Francis Brown, of Nantucket, aged 77 years.

The 23rd ult. GILBERT JENKINS, son of Mr. Gilbert Jenkins, aged 2 years.

The 24th ult. JOHN NEUGENT, son of Mr John Neugent, aged 9 months.

Wreath.

[We insert the following, because we are willing to oblige the author; but we are not amongst the admirers of such verses. Edit. Bal]

FOR THE BALANCE.

TO ABBY.

GO, gentle sigh, and speed thy way
Warm from my breast, without delay;
Pour in her ear the love-lorn ditty,
And gently sooth her soul to pity.

But if she thee disdain to hear,
Thy pinions lightly waving near,
Still in her wanton tresses straying,
Or in her garments idly playing:

Go, mingle with her balmy breath,
Nor fear her anger will be death;
For life renewed shall bless thy daring,
With her etherial zephyrs sharing.

Return, then, gentle sigh, return,
With rapture flow, with ardor burn;
Inhal'd by me (with bliss past telling)
My breast shall be thy constant dwelling.

SIDNEY.

Congress.

From the Philadelphia Gazette.

PRIVATE CORRESPONDENCE.

Washington-City, 2nd mo. 11th day.

Friend Relf,

THE squandering of public time shall still be my theme.

The *Cacoethes loquendie* occasions a vast consumption of time. The repetition of arguments that have been repeated an hundred times in a debate preventeth not their being again repeated. The Habeas Corpus Bill from the Senate was a plain violation of the Constitution. There was neither "actual rebellion nor invasion;" one of which the constitution requires, *and* that "the public safety" should require the suspension. It also was an expost facto bill, inasmuch as it contained a provision for the violation of the Habeas Corpus by Wilkinson. What sudden carelessness or madness induced the Senate to pass this bill astonisheth me. The arguments against it were few and incontrovertible and as plain as the nose in thy face.—Yet the House spent nearly the whole day in debating on it. After Randolph and Elliot, and one or two more, had said all that was necessary, every one in the house must have a finger in the pie—a member addressed the speaker thus:

Mr. Speaker—I rise in opposition to this bill—I am opposed to this bill—I am opposed to the principles of the bill—The bill, sir, contains principles which I dislike—I cannot approve them—I am opposed to them—Sir, this is an expost facto bill—The constitution forbids the passing of such—The constitution says no such act shall be passed—Such are the express provisions of the constitution—This bill is in opposition to that constitution, and that constitution is in opposition to this bill—They are opposed to each other—This is a violation of it—The constitution will be violated if you pass it—If you pass it, sir, the constitution will be violated, and there will be a direct infraction of the constitution.—I shall oppose it, Mr. Speaker, on the grounds of the constitution, on constitutional grounds, sir; on account of its unconstitutionality, &c. for half an hour.

And after him perhaps ariseth another, and taketh the same side of the question and perhaps in the same manner. But a speech is made of it and it is printed; and their constituents see it, which was all the object wished. Thus without one qualification for a speaker, a speech is made by repeating the repeated repetitions of former speakers. It is an easy thing to do. Why, I could speak a speech in rhyme, or speak an ode, *ducentes versus stans pede in uno*, in this manner—videlicet:

I love my love, because no love,
So loving is as he:
I love my love, because my love,
So loving is to me.

But if my love another love,
Did love as much as me,
Then I my love no more should love,
Nor longer loving be.

Yes, if my love forget his love,
And have no love for me,
Then would the love of my dear love,
No longer lovely be.

Then if my love forsake his love,
And love a lovelier she;
Then for my love I'll quit my love,
And love some lovelier he.

Neither time, talents, nor education are requisite, to wire-draw poetry or speeches in this manner, and of this description are three fourths of the speeches in congress. I would much rather hear Lyon, with his rude uncouth language; his "*them* things is" and "that there man there," than one of these word-drawlers, because he speaks to the point and sits down. If the house among their rules should adopt one, a fine of 50 cents on the repetition of every argument beyond the third time, [and three times is scarcely enough to make them remember;] such fines would nearly pay the expence of the members: it would certainly support the poor of the district.

It ought to be a rule of the House, that no man should speak who has not something new to offer. If it be an old argument, let him give it a new dress. Sometimes a mere good turn or piece of wit, is allowable; especially to wake the House after a dull harangue. Tho' the members are not sent there to show their wit [and few, thou knowest can do so, if so sent] yet sometimes it may be usefu', and always agreeable. Many may be whipt into their duty who could not be coaxed. Many might be whipt into silence.

Sloan is not half so troublesome since the dressing Friend Dana gave him last session. Yet of all the time wasted in different ways in the House, that wasted in the exhibition of wit, scarcely perceived, cannot seriously affect the public.

Friend Relf, I have volumes of argument before me to prove to thee that Congress wastes at least two thirds of each session; and in corroboration of this, I have the displeasure to inform thee, that the House of Representatives were almost the whole of the second, third and fourth days of this week in re—re—re—re—re—re—re—re——peating the often repeated arguments pro and con. on the slave bill; and at last, at half past three this evening, agreed to a bill from the senate for that purpose, with *amendments*. Thus has *more than one third* of the time of the House been employed in masterly idleness on one bill by men who vociferate the praises of economy.

Diversity.

Gratitude of Players.—A person attacking the players in general one night in company with Foote, said, among other things, "that they had not one grain of *gratitude* about them." "Nay now," said Foote, "you are too severe upon the profession; for to my certain knowledge there are no people more distressed at *benefits forgotten!*"

The Discovery.—A gentleman praising the personal charms of a very plain woman before Foote, the latter whispered him, "And why don't you lay claim to such an accomplished beauty?" "What right have I to her?" said the other. "Every right by the law of nations, *as the first discoverer!*"

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